



Humboldt County Department of Health and Human Services
DIVISION OF ENVIRONMENTAL HEALTH

100 H Street - Suite 100 - Eureka, CA 95501
Voice: 707-445-6215 - Fax: 707-441-5699 - Toll Free: 800-963-9241
envhealth@co.humboldt.ca.us

September 13, 2006

Cert.# 7002 3150 0002 1144 4787

California Environmental Protection Agency
Unified Program Section
Attn. Ms Tina Gonzales
1001 I Street
Sacramento, CA 95814

Dear Ms Gonzales:

Please accept the following information as an update on Humboldt County CUPA's (HCC) corrective actions for deficiencies identified during your August 16, 2005 evaluation.

#1. Farm Regulation: Please see the attached draft memo to the Acting County Ag Commissioner. The memo provides the Acting Ag Commissioner with the opportunity to implement and meet the regulatory standards for hazardous materials/waste. If the Commissioner opts out, then the CUPA may require the farms, mostly dairies, to submit and implement a Hazardous Materials Business Plan for their hazardous materials and waste, pay fees and be subject to inspection.

#2. Customer Service Survey: We sent out 450 surveys and have received 141 completed surveys. In a month or two we will compile and summarize the results. In the future, the survey will be mailed in January with the annual letter to businesses, with a note of encouragement for them to be completed and returned to the HCC.

#3. CalARP Inspections/Audits: We have completed all but three first round CalARP audits. The final three will be completed by the end of the calendar year.

#4. Hazardous Waste Generator Inspections: We have commenced hazardous waste generator inspections and also commenced billing hazardous waste generator facilities.

#5. Consolidated Permit Program: Please find the final Permit Plan and flow chart for the Humboldt County CUPA.

Please indicate if deficiencies #2 - 5 have been satisfactorily addressed and corrected. If you have questions, please call (707)268-2220 or e-mail me at mmartel@co.humboldt.ca.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Martel".

Melissa Martel
Senior Hazardous Materials Specialist
Humboldt County CUPA

Enclosures



Humboldt County Department of Health and Human Services

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Memorandum

To: John Falkenstrom, Acting Agriculture Commissioner
CC: Alexandra Wineland, Health Branch Director
From: Brian Cox, Director of Environmental Health, Peggy Falk, Deputy Public Health Director
Date: August 21, 2006
Subject: Regulation of Agricultural Hazardous Materials Facilities

The most recent California EPA certified program agency evaluation listed our certified program's lack of incorporation of farms into our business plan program as a deficiency. We have been directed to correct it.

California Health and Safety Code Section 25503.5 (c), (5) requires an administering agency to exempt a business operating a farm for purposes of cultivating the soil or raising or harvesting any agricultural or horticultural commodity from filing the information in the business plan required by subdivisions (b) and (c) of Section 25504 if all of the following requirements are met, as follows:

- (A) The handler annually provides the inventory of information required by Section 25509 to the county agricultural commissioner before January 1 of each year.
- (B) Each building in which hazardous materials subject to this chapter are stored is posted with signs, in accordance with regulations that the office shall adopt, that provide notice to the storage of any of the following:
 - i. Pesticides.
 - ii. Petroleum fuels and oil.
 - iii. Types of fertilizers.
- (C) Each county agricultural commissioner forwards the inventory to the administering agency within 30 days from the date of receipt of the inventory.

If all of the requirements are not met, farm businesses must comply with standard business plan reporting requirements, the same as for any business that stores or handles reportable quantities of hazardous materials, which includes submission of an annual hazardous materials business plan inventory, employee training plan, and emergency response procedures.

Please let me know by September 15, 2006 whether or not the Humboldt County Agricultural Extension Service Office will enable farm businesses to be exempt from the standard business plan

reporting requirements. In either case, please provide a mailing list of farm businesses in Humboldt County so that we may begin the process of incorporating these businesses into our program.

Attachments:

HSC Section 25503.5

CCR Title 19 Sections 2733, 2734

HUMBOLDT COUNTY CUPA CONSOLIDATED PERMIT PLAN

Underground Storage Tank (UST) Program

Businesses that operate underground storage tanks require an underground storage tank operating permit. A regulated business shall be issued a permit when the following conditions are met:

- Regulatory compliance is verified by inspection;
- Fees are paid in full;
- Required forms, properly completed, are received and approved by the CUPA. Forms include:
 - Form A –Facility
 - Form B – one per tank
 - Form C – for new installations
 - Form D – Monitoring Plan
 - Form E – Response Plan
 - Designated Operator Form
 - Financial Responsibility / CFO letter
 - Most recent test reports
 - Monitoring System Certification
 - Secondary Test Report
 - Site map
 - Owner/Operator Agreement, when applicable
 - Current and accurate Hazardous Materials Business Plan

The permit term is five years for the Underground Storage Tank program element.

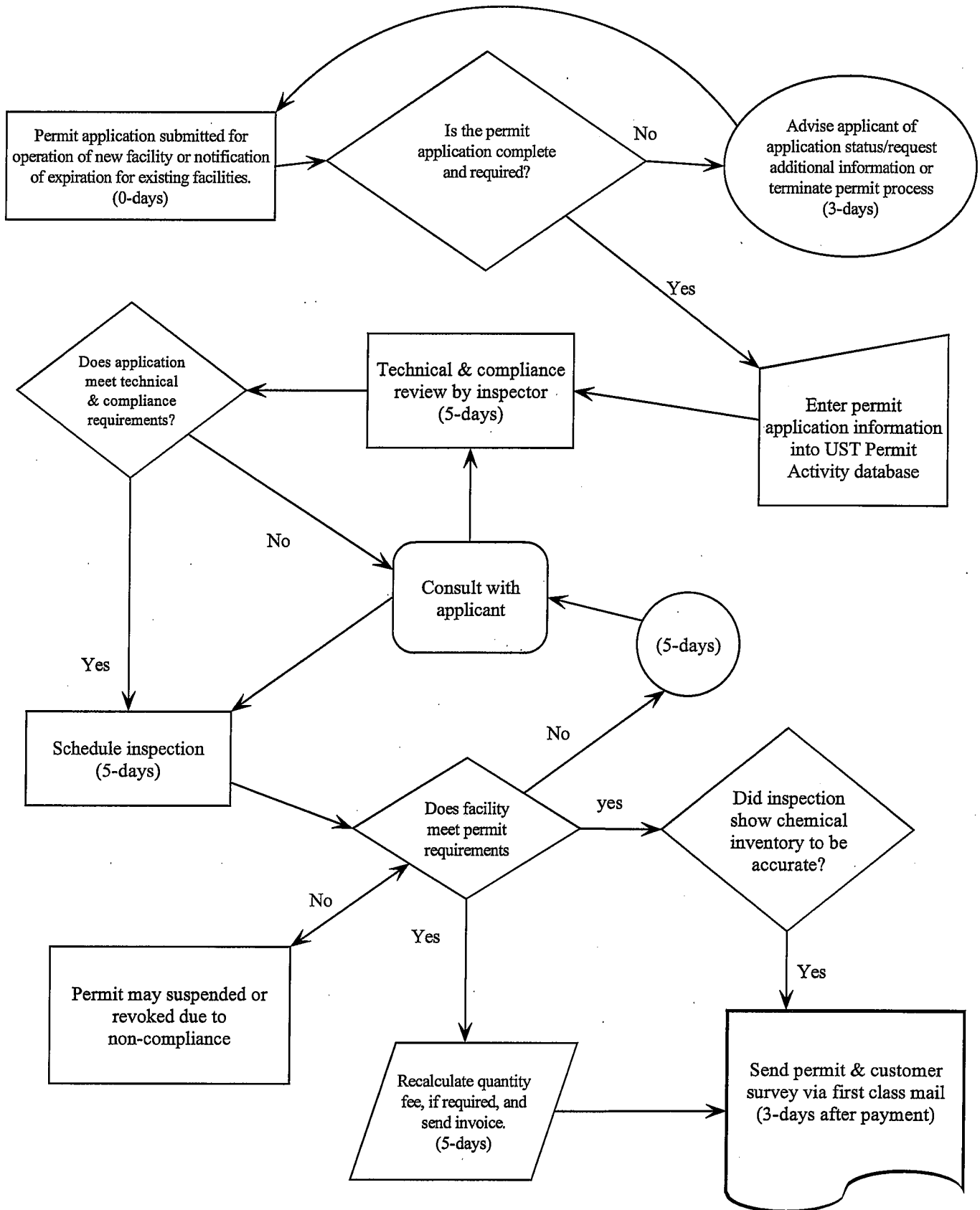
The single point of local contact for permit applicants is:

Humboldt County Division of Environmental Health
100 H Street, Suite 100
Eureka, California 95501
Phone 707-445-6215

New Business Permit Application Procedure

1. Submissions must be made at least ten business days prior to planned operation of the USTs.
2. Upon submittal of a permit application, the application will be date stamped, receipted, entered into the "UST Permit Activity" database, and routed to the appropriate HazMat Specialist.
3. Within five days, the HazMat Specialist reviews the application and documents for completeness and compliance.
4. Within five working days of review, if the forms are sufficient, the data from the Forms and Business Plan are entered in the database and the HazMat Specialist schedules a site inspection with the operator.
5. Within three working days of compliance verification inspection, the permit will be issued by first class mail to the applicant.
6. The CUPA Office Assistant will record in the database the date the permit is sent as the date of issuance.
7. The database records are queried monthly to determine when inspections and compliance reviews are due for each UST facility.

HUMBOLDT COUNTY CONSOLIDATED PERMIT PLAN FLOW CHART
09/12/06



Times are maximum work days to complete task.

All actions are entered into database and dated for tracking purposes